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**Notice of Allowability**

Application No.

09/217,932

Examiner

Kambiz Zand

Applicant(s)

KANG ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06/07/2004.
2. ☒ The allowed claim(s) is/are 25,26,28,33,73,77,79,83,84, 95-98, now re-numbered as claims 1-13.
3. ☒ The drawings filed on 11 April 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### **DETAILED ACTION**

1. The text of those sections of Title 35, U.S. Code not included in this section can be found in the prior office action.
2. The prior office actions are incorporated herein by reference. In particular, the observations with respect to claim language, and response to previously presented arguments.
3. Claims 1-24, 27, 29-32, 34-72, 74-76, 78, 80-82 and 85-94 have been cancelled.
4. Claims 25,, 28, 33, 73, , 79 and 83 have been amended.
5. Claims **25, 26, 28, 33, 73, 77, 83, 84 and 95-98**, now re-numbered as claims 1-13 are pending.
6. Examiner withdraws rejection of the claims 23 and 24 under 35 U.S.C 112-second paragraphs due to cancellation of the claims by the applicant.

### ***Response to Arguments***

7. Applicant's arguments filed 06/07/04 have been fully considered and they are persuasive.

### **Allowable Subject Matter**

8. **Claims 25, 26, 28, 33, 73, 77, 83, 84 and 95-98 are allowed.**

9. The following is an examiner's statement of reasons for allowance: Pinder et al (6,105,134 A) teach a digital content encryption and decryption apparatus of a digital content transmission system protocol, digital content encryption apparatus, method of the digital content transmission system (see abstract) comprising: a protocol format generator (see fig.6; col.4, lines 1-26), said protocol format generator generating a copyright protection protocol in response to identity characters of a user (see col.12, lines 47-58), said copyright protection protocol including a header (see fig.6 and 10) and digital contents (see fig.10), said digital contents being encrypted (see fig.2A; and 3), said header having information for decrypting and explaining the digital contents (see fig.11 and 21; col.20, lines 66-67 and col.21, lines 1-13); and a protocol format decoder located at said terminal unit, said protocol format decoder having decryption algorithm (see fig.1;2B; col.4, lines 45-48), using key information said protocol format decoder decrypting (see col. 4, lines 45-48; col.15, lines 55-63) and replaying the digital contents according to the information of the header received from the protocol format generator (see abstract; col.7 , lines 26-65).

Weber disclose the communication is from a user to a server where the server respond to the user after receiving the user's id by providing keys for decryption of the content encrypted data (see abstract; fig.2-4,6a-b; 8-

10, 12a-b and 14 where the communication between the user and the server and request and challenge are clearly illustrated.

Pinder et al and Weber's system and method singly or in combination are in contrast with specific steps of applicant's invention wherein the header comprises a copyright support field for indicating whether the digital content are under copyright protection, an unencrypted header field and an encrypted header field, wherein the unencrypted header field comprises a copyright library version field, a digital conversion field, a digital content encryption algorithm field, a field for indicating the number of users sharing a replaying device, a field for indicating user authorization information at the personal computer, and a field for indicating user authorization information at the replaying device; and wherein the field for indicating user authorization information at the personal computer and the field for indicating user authorization information at the replaying device comprise a field for indicating a hash value of a user key, and a field for indicating the size of the hash value generated by a hash algorithm, a field for indicating resultant value of an encrypted temporary validation key, and a field for indicating the size of the resultant value of the encrypted temporary validation key respectively where the key data is randomly generated in response to identity as recited in **independent claims 25, 28, 73, 79 and 83, 95; and further** where a second user key is generated in response to said second user key to determine whether the user is authorized to receive said encryption digital information and when said

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user is authorized to receive said encrypted digital information, utilizing said second user key to decrypt said temporary validation key from said user authorization information; and decrypting said encrypted digital content the decrypted temporary validation key being used to decrypt to restore said digital information **as recited in the independent claim 95.**

10. **Dependent claims 26,33,,77,84 and 96-98** as being dependent upon Independent claims 25, 28, 73, 83 and 95 and having additional allowable features therein.

### **Conclusion**

11. Any comments considered necessary by the applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "comments on statement of reasons for allowance."
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Zand whose telephone number is (703) 306-4169. The examiner can normally be reached on Monday-Thursday (8:00-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone numbers for the

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organization where this application or proceeding is assigned as (703) 872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kambiz Zand

07/14/04

*Justin T. Darrow*  
JUSTIN T. DARROW  
PRIMARY EXAMINER